

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA**

IN RE:) **CASE NO. 09-06628-8-RDD**
) **CHAPTER 7 PROCEEDING**
Acosta, Joe)
)
)
DEBTOR(S))

MOTION OF THE BANKRUPTCY ADMINISTRATOR
FOR AN ORDER UPON THE DEBTOR(S)
TO APPEAR FOR EXAMINATION

Now comes the Bankruptcy Administrator for the Eastern District of North Carolina, and respectfully moves this Court for an order upon the debtor(s) to appear for examination pursuant to Bankruptcy Rule 2004. The Bankruptcy Administrator requests that the debtor(s) produce any and all of the documents that are indicated below:

- Pay advices of the debtor(s) for the six (6) months prior to the filing of the case. Pay advices include but are not limited to, the following: paycheck stubs, pension/retirement statements, IRA withdrawal statements, 401(k) withdrawal statements, Social Security benefits award statements, monthly profit and loss statements for business income, annuity payments, and any other document that evidences your income for the preceding six months.
- Pay advices, as defined above, received by the debtor since the filing of the case to the date of this motion.
- A copy of bank statements for all bank accounts held by the debtor(s) within the twelve (12) months of the date preceding the filing of the petition.
- A copy of any life insurance policy that is not provided through the debtor(s)' employer.
- A copy of the debtor(s)' 401(k) loan documents or other retirement loan documents.
- A detailed monthly profit and loss statement for the six months preceding the filing of the bankruptcy case. This document should include gross business receipts less business expenses. The business expenses must be provided in detail.
- A copy of debtor(s)' divorce decree, separation agreement, or any other court ordered document evidencing a domestic support obligation.
- Please provide any document that would evidence debtor(s) contributions to charitable organizations or tithing.



Please provide a detailed accounting of the marital adjustment from the income for the non-filing spouse, in addition to documentation supporting the non-filing spouse's charitable contributions.



Other:

The above documents requested for production are to be delivered by the 5th day of October, 2009. The above documents requested are to be submitted to the following office:



United States Bankruptcy Administrator
P.O. Box 3758
Wilson, NC 27895



United States Bankruptcy Administrator
434 Fayetteville St., Suite 620
Raleigh, NC 27601

Wherefore the Bankruptcy Administrator requests that this Court issue an order upon the debtor(s) to produce the above requested documents by the 5th day of October, 2009.

Respectfully submitted September 21, 2009

s/ Marjorie K. Lynch

Marjorie K. Lynch
Bankruptcy Administrator

s/ C. Scott Kirk

C. Scott Kirk, Staff Attorney
P.O. Box 3758, Wilson, NC 27895, (252) 237-6854
Ohio Supreme Court No. 0069617

CERTIFICATE OF SERVICE

I, C. Scott Kirk, of Post Office Box 3758, Wilson, North Carolina, 27895-3758, certify:

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age;

That on this day, I served copies of the foregoing document on the following:

Grant Patten
1029 Honeycutt Rd.
Fayetteville, NC 28311

By electronic service via cm/ecf, and

Joe Acosta
1029 Honeycutt Rd.
Fayetteville, NC 28311

by depositing a copy thereof in an envelope bearing sufficient postage in the United States mail.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: September 21, 2009

/s/ C. Scott Kirk
C. Scott Kirk
Staff Attorney
Bankruptcy Administrator
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